G. R. S. 58]

Previous references.

File No. 145-10

1910.

Serial Nos.

(Courts)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for Feb-11

SUBJECT.

Delay in the submission of recommendations for filing appeals against orders of acquittals by Dt. Magistrate.

Table of Contents

1. To the Dt. Magistrate & Dt. Supt. of Police. No. J2378-869 dt. 26-2-11. Issues instructions in the matter of filing appeals against orders of acquittal under Sec 417 Cr.

GPB—5,000—22-10-10

G.R.S. 11] C/o 1906.

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

C/o File No. 145-10

FILE HEADING.

Delay in the submission of the recommendations for filing appeals against orders of acquittal, by Dt. Magistrates.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First sheet.

GPB—15,000—24-4-09

	Serial No.	
		Remarks of the Asst Secretary Br III on pages
x Vide link	file	7 & 8 of the office note in Cs 122-10.
		" Very often District Magistrates send up recommendations for filing an appeal against orders of acquittal just a few days before the expiry of the period of limitation viz 6 months. Such short periods do not allow sufficient time to examine the case thoroughly and sometimes the records sent up are very incomplete being confined to a copy of the judgment and a "memo" by the D.S.P. In some cases it is of very great importance to inspect the original Exhibits - in others full copies of the evidence in the case would be of great value in deciding whether a case is fit for appeal or not. If recommendations are sent up at the last moment there will be no time to call for such papers, should their perusal or inspection be considered necessary. As a sufficiently long period is allowed by the law, there is no reason why the District Magistrates should delay sending up such recommendations till the appeal time has almost expired. It seems to be desirable to issue a circular to all District Magistrates to submit all such recommendations so as to reach Govt at least two months

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

(d) File No. 1 of 1911

Serial No.

before the expiry of the period fixed for filing the appeal"

(Sd) SH 2/12/10.

Subd
SN
16/12/10

I approved a Circular will be drafted

16/12/10. Sd

Sec'y. Is there at present no ~~case~~ rule in the matter?

CJB
5/1/11

(b) Office – Please note.

5/1/11. Sd.

Hrg. W

Subd. Please see G.O. No J 927-41-Cts 99-05-11 & 20-10-1906, regarding a Case of delay in preferring an appeal against the orders of acquittal

HCS
(122) 16-1-11.
SN(11)
16/1

The delay in the case ref'd to in the above G.O. occurred in consequence of the Dt Magte being under

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

File No. 115 of 19 11

Serial No.

misapprehension that the time taken by him for obtaining a copy would be excluded from calculation. In the file case under Circulation I am referring to cases where sufficient time is not allowed to Govt for duly considering whether a particular case is fit for appeal or not

16/1/11. SB

See) Yes - please put up a circular.

CM 31/1/11

CS 1/2

SB 31/1/11.

Draft is put up.
Rs. 107
1/2/11 SN(11)

2/2 Please put up fair copy as ready.

7/2/11. SB

Fair copy is put up.
Rs. 107 CN
7/2/11

7/2 SB

NOTE—Contn. sheet.

Ad. 7. 8/2/11 SB

GRS—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

65 File No. 145 of 1910

5

Serial No.	
	2nd cr
	cm
1462.	appd 4/4/11
	13/2/11
	Issue
	15/2/11
	15/2/11
B Rec 4/4/11	

To the District Magistrates
& Dy. of Police.

No. 2378-86 & 20-2-11.

Directs that in order to avoid delay recommendations for filing appeals against orders of acquittal be submitted to Govt so as to reach Govt at least two months before the ~~too~~ expiry of the period of limitation

NOTE—Contn. sheet.

GPB—50,000—12-8-10

3

G.R.S. 28.]

C5 **File No.** 145-10

Serial No.

Diary No. of letter replied to

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(C5

READ—

, *the* 19

Date of issue Printed 20-2-11.

Signed by

Circular ORDER ~~THEREON~~.—No. J 2378-86/C5 145-10-1.

Govt have had occasion to observe in several recent instances that recommendations for filing appeals against orders of acquittal under Sec. 417 of the Cr. Pro. Code are submitted just a few days before the expiry of period of limitation

over

SUBJECT.

GPB—10,000—9-12-09

When there is not-
With Such short periods do not
allow sufficient time for Govt
to Examine the Cases thoroughly
Again, the records sent up
are sometimes very incomplete,
being confined to a copy of the
Judgment and occasionally
a "memo" by the District Police.
In some cases it is of very great
importance that the originals
of the Exhibits filed in the case should
be inspected by Govt; in others
full Copies of the Statements
of Witnesses would be of great
value in deciding whether a
case is a fit one for appeal or not.
If recommendations are
sent up at the last moment
there will be no time to call
for such papers, should their
perusal or inspection be
considered necessary.

2. All District Magistrates
are therefore requested to submit
such

The time allowed
by law for such an
appeal is ample enou
and there is no re
son whatever why
any long delay should
occur in moving fo
to sanction an appea

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

such recommendations so as to reach Govt at least two months before the expiry of the period fixed for filing the appeals. The records sent up should invariably contain copies of such of the documents and of the statements of witnesses as may, in the opinion of the Dt Magte, be necessary for a thorough comprehension of the facts of the case.

9/2/14.
Offg Secy to Govt.

Print 13/2/14

To
The Dt Magte of [illegible]
The Registrar, High Court
The S.P. of Police.

Received
Ch 107
7/2/14

Copied by
17-2-14.

Proceedings of the Government of His Highness the Maharaja of Mysore, Judicial and Legislative (Courts), dated 20th February 1911.

No. J. 2378-86—Cts. 145-10-1, dated Bangalore, 20t

Circular Order.—Government have had occasion to observe in several recent instances that recommendations for filing appeals against orders of acquittal under Section 417 of the Criminal Procedure Code, are submitted just a few days before the expiry of the period of limitation, when there is not sufficient time for Government to examine the cases thoroughly. The time allowed for such an appeal is ample enough and there is no reason whatever why any long delay should occur in moving Government to sanction an appeal.

2. All District Magistrates are therefore requested to submit such recommendations so as to *reach* Government at least two months before the expiry of the period fixed for filing the appeals. The records sent up should invariably contain copies of such of the documents and of the statements of witnesses as may, in the opinion of the District Magistrate, be necessary for a thorough comprehension of facts of the case.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The District Magistrates of Districts.
The Inspector-General of Police in Mysore.

Exd.—C. R.

1910-11

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

JUDICIAL AND LEGISLATIVE
(COURTS)

PROCEEDINGS

Dated 20th February 1911

No. J.-2378-86
Cts. 145-10-1

Issuing instructions in the matter of filing appeals against orders of acquittal under Section 417, Criminal Procedure Code.

GPB—17-3-11—200